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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,350	12/21/2000	Jon Ryan Welcher	147-1	1685

22653 7590 07/02/2004  
EDWARD W CALLAN  
NO. 705 PMB 452  
3830 VALLEY CENTRE DRIVE  
SAN DIEGO, CA 92130

EXAMINER

ADAMS, JONATHAN R

ART UNIT PAPER NUMBER

2134

DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/746,350

Applicant(s)

WELCHER ET AL.

Examiner

Jonathan R Adams

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-4 rejected under 35 U.S.C. 102(a) as being anticipated by Anderson et al., US Patent No 6633905 (hereafter referred to as '905).

3. As to claim 1:

'905 teaches a switching system for controlling communication access comprising:

Control terminal / Keyview PC (Fig 28, Element 200, '905)

First connector / (Fig 29, Element 213, '905)

Second connector connecting to network / Connection to Network (Fig 29, Element 200-206, '905)

Electrically powered switching means / Switching between host PCs (Col 50, Line 29, '905)

Activated by control signal / Keyview automatically logs out any user after the number of minutes (Col 62, Line 18, '905)

Control terminal connected to switching means providing control signal / Key view menu mode permits switching between host PC's (Col 50, Line 29, '950)

Art Unit: 2134

4. As to claim 2:

Manually activated means for providing control signal / Keyboard controlled switching between PCs (Col 11, Line 59, '905)

5. As to claim 3:

Power terminal connected to switching means for providing power / AC power (Fig 12, Element 200, '905)

6. As to claim 4:

Control device connected to control terminal / Inactivity timer logic (Col 61, Line 67, '905)

Automatically opening switch in response to measuring interval / Automatic logout after a number of minutes (Col 62, Lines 14-26, '905)

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 5-26 rejected under 35 U.S.C. 103(a) as being unpatentable over '905 in view of Thacker, US Patent No 6147608 (hereafter referred to as '608).

9. As to claim 5:

'905 teaches a switching system for controlling communication access using a timer to automatically control access with a control signal based on whether a person is present at a workstation (Col 62, Lines 14-26, '905). '905 does not teach to further determine user presence by sensing proximity. '608 teaches a system for determining if a person is at a workstation using a proximity detector. It would have been obvious to a person of ordinary skill in the art at the time of invention to use the proximity detector to determine user presence at a workstation as in '608 with the presence determining means in the invention of '905. One of ordinary skill in the art would have been motivated to use the proximity detector to determine user presence at a workstation as in '608 with the presence determining means in the invention of '905 because providing redundant means for proximity detection would increase presence detection reliability.

10. As to claim 6:

A timer for selecting a predetermined time / Number of minutes setting (Col 62, Line 9, '905)

Automatic control is in response to given control signal / Automatic logout after a number of minutes (Col 62, Lines 14-26, '905)

11. As to claims 7 and 8:

'905 as modified above teaches a switching system for controlling communication access for both input and output (Col 2, Line 22, '905). '905 as modified above does

Art Unit: 2134

not teach for the switching means to only prevent input or the opposing, to only prevent output. The examiner takes official notice as to reducing the function set to only permit one of either input or output. It would have been obvious to a person of ordinary skill in the art at the time of invention to reduce the function set of '905 as modified above to only permit one of either input or output. One of ordinary skill in the art would have been motivated to reduce the function set to only permit one of either input or output because doing so would simplify design and would still be useful in some applications.

12. As to claim 9:

Switching means is connected for preventing any network communication / Keyview II intercepts all of the critical input and output functions of a PC... (Col 2, Line 22, '905)

13. As to claim 10:

Claim 10 corresponds to claim 1 and further comprises:

Preventing first connector from receiving any network communications from the second connector and/or preventing second connector from receiving any network communications from the first connector / Keyview II intercepts all of the critical input and output functions of a PC... (Col 2, Line 22, '905)

14. As to claim 11:

Claim 11 corresponds to claim 1 and further comprises:

Art Unit: 2134

Access prevention device is disposed within a chassis that contains the computer /  
cubicle (Fig 1, Element '905, '608)

15. As to claim 12:

Control device is disposed on said chassis / cubicle (Fig 1, Element '905, '608)

16. As to claim 13:

Keyboard connected to computer / (Fig 28, Element 214, '905)

17. As to claim 14:

Mouse connected to computer / (Fig 28, Element 214, '905)

18. As to claim 15:

Manually operated control device / Keyboard controlled switching between PCs (Col 11,  
Line 59, '905)

19. As to claim 16:

Claim 16 corresponds to claim 5

20. As to claim 17:



Art Unit: 2134

Means for measuring each interval when the computer is not performing a routine in response to an input received... providing control signal / Inactivity timer logic (Col 61, Line 67, '905)

21. As to claim 18:

Claim 18 corresponds to claim 1 and further comprises:

A modem connected to the given port for processing bi-directional communication / KEY-VIEW PC permit access via a LAN, modem, the Internet and/or direct serial or parallel port access (Col 1, Line 60, '905)

22. As to claim 19:

Access prevention device is disposed within chassis that contains the modem / Modem (Fig 12, Element 90, '905)

23. As to claim 20:

Manually operable remote control device for transmitting control signal / KEY-VIEW PC permit access via a LAN, modem, the Internet and/or direct serial or parallel port access (Col 1, Line 60, '905), all of these represent forms of manually operable remote control when connected to a computing device

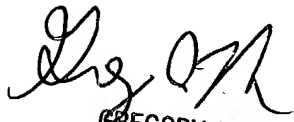
24. As to claims 21-26:

Claims 21-26 recite elements from claims 11-17 and claim 20

**Conclusion**

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan R Adams whose telephone number is (703) 305-8894. The examiner can normally be reached on Monday – Friday from 10am to 6pm.

26. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse, can be reached on (703) 308-4789. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

  
GREGORY MORSE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100